FEDERAL SUBSISTENCE BOARD MEETING

TELECONFERENCE - ALASKA

Fisheries Special Action Requests
FSA 22-01, 02, 03 and 04

MAY 4, 2022

MEMBERS PRESENT:

Anthony Christianson, Chairman
Rhonda Pitka, Public Member
Charles Brower, Public Member
Sarah Creachbaum, National Park Service
Jill Klein, U.S. Fish and Wildlife Service
Chris McKee, Bureau of Land Management
Gene Peltola, Bureau of Indian Affairs
David Schmid, U.S. Forest Service

Ken Lord, Solicitor's Office

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OPERATOR: Welcome and thank you for standing by. All participants will be on a listen only mode until the question and answer session. At that time if you'd like to make a comment or question, please press star, one and clearly record your first and last name for your question or comment to be introduced. I'd like to inform all parties that today's call will be recorded. If you have any objection, you may disconnect at this time.

I would now like to turn the call over to your host. Ms. Sue Detwiler, you may begin whenever you're ready.

MS. DETWILER: Thank you, Operator. This is Sue Detwiler, Assistant Regional Director for the Office of Subsistence Management. I first want to start out with Court Reporter Tina. Are you ready?

REPORTER: I am ready. Go ahead.

MS. DETWILER: Thank you. This is Sue Detwiler. This is for the Federal Subsistence Board's meeting today on fisheries Temporary Special Action Request FSA 22-01, 02, 03 and 04. While we're waiting for all the Board members to join I'm just going to start doing a roll call to see who we do have in the room right now.

I will start with National Park Service, Sarah Creachbaum.

MS. CREACHBAUM: Good morning, Sue, and everyone. I'm here.

MS. DETWILER: Good morning, Sarah.

Bureau of Land Management.

MR. MCKEE: Good morning, Sue. This is Chris McKee sitting in for Acting State Director Thomas Heinlein.
MS. DETWILER: Okay. Thank you, Chris.

Fish and Wildlife Service.

MS. KLEIN: Good morning, Sue. This is Jill Klein sitting in for Sara Boario, Regional Director of Fish and Wildlife Service.

MS. DETWILER: Good morning, Jill. Thank you.

U.S. Forest Service, Dave Schmid.

MR. SCHMID: Good morning, Sue and all. Dave is here.

MS. DETWILER: Good morning, Dave.

Bureau of Indian Affairs, Gene Peltola.

MR. PELTOLA: Good morning, all. BIA is on.

MS. DETWILER: Thank you, Gene.

Public Member Rhonda Pitka.

(No response)

MS. DETWILER: Public Member Charlie Brower.

MR. C. BROWSER: Here.

MS. DETWILER: Good morning, Charlie.

Chair Anthony Christianson.

(No response)

MS. DETWILER: So we have six out of eight. I'll move on with legal counsel from Department of Interior, Regional Solicitor's Office, Ken Lord.

MR. LORD: Good morning, everyone.

MS. DETWILER: Good morning. Mike Routhier.
(No response)

MS. DETWILER: USDA Office of General Counsel, Jim Ustasiewski.

MR. USTASIEWSKI: I'm here and Boykin Lucas also in my office. I think he's on, but not as a speaker.

MS. DETWILER: Okay. Thank you, Jim.

Moving on to Liaisons to the Board, Alaska Department of Fish and Game Ben Mulligan.

MR. MULLIGAN: Good morning, Sue. This is Ben.

MS. DETWILER: Good morning, Ben. Mark Burch.

MR. BURCH: Good morning. This is Mark.

MS. DETWILER: Thank you, Mark. Moving on to the Regional Advisory Council Chairs, I'll start with the Chairs who are directly affected by this proposal. Starting with Region 5, Yukon Kuskokwim Delta, Raymond Oney.

MR. ONEY: Good morning, Sue. Raymond is here.

MS. DETWILER: Good morning, Ray. Region 6, Western Interior, Jack Reakoff.

MR. REAKOFF: Good morning. Jack Reakoff on the line.

MS. DETWILER: Thanks, Jack. Region 7, Seward Peninsula.

MS. BATES PILCHER: Good morning, Sue. This is Nissa Pilcher, Council Coordinator for the Seward Peninsula Regional Advisory Council to represent them.

MS. DETWILER: Hi, Nissa. Thank you. Region 9, Eastern Interior. I understand Charlie White, the Vice Chair, is on the line.
MS. DETWILER: Eastern Interior
Regional Council, Charlie Wright, are you online?

MS. MCDavid: Good morning, Sue. This
is Brooke McDavid, the Council Coordinator for the
Eastern Interior. Charlie should be joining us shortly.

MS. DETWILER: Okay. Thank you. Do we
have any other Regional Advisory Council Chairs in
attendance at this time?

MS. DETWILER: Okay.

CHAIRMAN CHRISTIANSON: Good morning, Sue. This is Anthony Christianson as well. I'm on
now. Thank you.

MS. PITKA: Hi. This is Rhonda Pitka.
I'm also on.

MS. DETWILER: Oh, okay. Perfect. We
had just finished the roll call and with Rhonda and
Anthony now joining we have eight out of eight Board
members or their actings. We also have legal counsel
from both USDA and Department of Interior and we also
have three out of the four Regional Advisory Council
members on with the fourth expected soon.

So for the Regional Councils we have
Raymond Oney. For YKDelta we have Jack Reakoff from
Western Interior. Nissa Pilcher, Council Coordinator
is speaking on behalf of Louis Green, who is not able
to make it today for Seward Peninsula Regional Advisory
Council. And Brooke McDavid, Council Coordinator,
indicated that Charlie Wright for Eastern Interior
should be able to join shortly.

MR. WRIGHT: This is Charlie Wright.
Good morning. Can you hear me?

MS. DETWILER: Yes. Thank you. So it looks like we have a quorum, Mr. Chair, so over to you.

CHAIRMAN CHRISTIANSON: All right. Good morning, everybody. Welcome you all this morning to the Federal Board meeting this morning for a special action. I'd just like to thank the Staff for getting everything ready and all the people who are on the call to deal with the agenda at hand today.

Today we're here for -- I was looking for the purpose. We'll go ahead and call this meeting to order. Welcome everybody again and once we establish a roll call by Sue we'll go ahead and review and adopt the agenda this morning. I'll just go ahead and open up the floor this morning to do that. So we'll review and adopt the agenda at this time.

MR. C. BROWER: Good morning, Mr. Chair. Move to approve the agenda.

CHAIRMAN CHRISTIANSON: Good morning, Charlie. A motion has been made. If we can get a second on the motion, we can go ahead and move forward.

MR. PELTOLA: Yeah, I second.

MS. PITKA: Hi. I just wanted to make sure that there was a little bit of time for public comment in there.

CHAIRMAN CHRISTIANSON: After we got the second -- we do have a motion and a second. There's a discussion going on if there's public comment.

MR. PELTOLA: Yeah, I posed the second.

CHAIRMAN CHRISTIANSON: No, we got the second. Under discussion we can go ahead and add. I was going to allow for that. We discussed it yesterday and just for the record here I will be providing a brief opportunity this morning for the public to go ahead and comment.

I see the sensitivity of the issue and the back and forth and try to wrestle with the
complexity of this issue and how many people need to
get educated and outreach. I feel we can go ahead and
let the public have some moment this morning to go
ahead and testify on the record. Just moving forward,
as we do, if there is no objection that we add to the
agenda this morning, just that opportunity for public
testimony as it pertains to these proposals.

So do we need to make a recommendation
here to amend the original motion to add that or is it
fine under the understanding that I'll allow public
testimony on these proposals and can move forward? So
we will be adding it and we will provide it prior to as
we go through this and provide the Staff analysis, all
the public that we got the feedback from the public and
then the consultations and then right prior to that
we'll have an opportunity for the public to speak.

So there's a motion on the floor to
accept the agenda, first and seconded, and with the
understanding we'll provide public comment today. Any
opposition?

(No comments)

CHAIRMAN CHRISTIANSON: Hearing no
opposition motion carries to accept the agenda as
presented with the addition of the opportunity for the
public to testify today to this.

MR. C. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you have
the floor, Charlie.

MR. C. BROWER: Just to make it a
formality, I would make an amending motion to include
public hearing too. Thank you.

CHAIRMAN CHRISTIANSON: Thank you,
Charlie. We have a motion to amend the motion just for
public record to go ahead and add public testimony.
We'll go ahead for order of business we'll be placing
that probably below the analysis after Pippa Kenner and
them presented. Then we have the Regional Council. I
think we stick it in there. Public testimony will go
in following the analysis.

Can I get a second to Charlie's motion.
MR. PITKA: This is Rhonda. I'll second.

CHAIRMAN CHRISTIANSON: Thank you. Any opposition to the motion to add the public testimony to the agenda after analysis.

(No comments)

MR. PELTOLA: Question.

CHAIRMAN CHRISTIANSON: The question has been called. Any opposition to the motion to include that.

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none, motion carries. We'll have public testimony on this subject. We'll go ahead and move on to the -- yeah, go ahead. Somebody wanted to be recognized? You have the floor.

MR. C. BROWER: Call for question on the main motion.

CHAIRMAN CHRISTIANSON: All in favor of the original motion to include -- language to include that public testimony on the main motion signify by saying aye.

IN UNISON: Aye.

CHAIRMAN CHRISTIANSON: Thank you. Opposed same sign.

(No opposing votes)

CHAIRMAN CHRISTIANSON: Motion carries unanimously. Sorry, guys. I woke up this morning a little bit on the wrong side of the bed. All right. We'll go ahead and move on to the Staff presentation of analysis.

MS. DETWILER: Yes, Mr. Chair. Pippa Kenner is going to start out with the Staff analysis.

CHAIRMAN CHRISTIANSON: Thank you.

Welcome, Pippa and thank you, Staff. We'll go ahead
and move right into the order of business. Thank you.

MS. KENNER: Good morning, Mr. Chair. Members of the Federal Subsistence Board. Can you hear me?

CHAIRMAN CHRISTIANSON: We hear you fine. You have the floor.

MS. KENNER: Wonderful. My name is Pippa Kenner and I'm an anthropologist at the Office of Subsistence Management. With me today is Cory Graham, who is a fisheries biologist at OSM.

These special actions affect Federal public lands described on maps beginning on Page 4 of the analysis. Fisheries Special Action Request FSA 22-01, 02, 03 and 04 were submitted by a resident of Rampart, the Holy Cross Tribe, the Native Village of Eagle and a resident of Huslia.

All four requests used the same language. They request the Federal Subsistence Board to close Federal public waters in the Yukon River Drainage to the harvest of chinook and summer and fall chum salmon except by Federally qualified subsistence users throughout the 2022 season and to reduce the pool of eligible harvesters based on ANILCA Section 804 analysis.

The relevant regulation is displayed on Page 2 of the analysis. I'll read the existing regulation to you now. For the Yukon River Drainage Federal subsistence fishing schedules opening, closing and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statute, which is specifically emergency orders, unless superseded by a Federal Special Action.

Now I'll read the additions proposed in these special action requests. Federal public waters of the Yukon River Drainage are closed to the harvest of chinook and summer and fall chum salmon except by Federally qualified users identified in the Section 804 analysis effective on June 1st through September 30th, 2022. Federal subsistence fishing schedules, openings, closures and fishing methods will be determined by the Federal in-season manager. There we have what's in the proposal.
The proponent's justification is detailed, so to paraphrase proponents say that currently Yukon River salmon fisheries are managed by the State with passage consent by the Federal Fisheries Manager. The State has opened a salmon commercial fishery during years when long-term average harvest amounts of chinook salmon were not achieved.

Additionally, proponents say State Fisheries Managers have allowed some portions of the Yukon River Drainage to stay open to chinook salmon subsistence harvest while other portions of the drainage have been arbitrarily closed.

The proponents finish by stating, quote, without Federal management when a sustainable harvest of chinook and chum salmon is available, Federally qualified users will not be ensured the priority and opportunity of customary and traditional uses of Yukon chinook and chum salmon that is required by Title VII of ANILCA. Our customary and traditional subsistence uses will be compromised by other regulatory regimes that do not prioritize subsistence uses, end quote.

Okay. Now I'll hand the presentation over to Cory Graham to present the biological background section of the analysis. Cory.

MR. GRAHAM: Thank you, Pippa. The 2021 run sizes of chinook, summer and fall chum and coho salmon were either the lowest on record or among the lowest on record. For chinook salmon run strength has varied throughout the past 20 years with takes around 300,000 to 375,000 fish and valleys below 150,000 fish.

Chinook salmon run sizes were relatively high in 2017 and 2019 before declining in subsequent years. In 2021 the total drainage-wide run size of chinook salmon was approximately 129,000 fish, which was among the lowest on record.

The run size of summer chum salmon has ranged from approximately 500,000 to over 4 million fish during the previous 20 years and in general run sizes have been good to excellent over this period. However, the 2021 run size was approximately 154,000 fish, which was the lowest on record and 93 percent
smaller than the 1978 to 2020 average of 2.5 million fish.

The drainage-wide run of fall chum salmon has ranged from approximately 250,000 to over 2 million fish since the mid-1970s. Fall chum salmon runs have been good to excellent during most years since 2003. However, last year's run was poor. The 2021 drainage-wide run size was 102,000 fish, which was a record low and approximately 10 percent of the average run size of 1 million fish.

The coho salmon run size index has generally been strong since 1995 ranging from approximately 125,000 fish to around 400,000 fish. However, last year's run was also unusually poor. The 2021 run size index was a record low of 45,500 coho salmon.

The poor run sizes resulted in a failure to meet escapement goals in 2021. Chinook salmon have since established escapement goals in the U.S. portion of the drainage and an interim management escapement goal that is assessed using the Eagle sonar. In 2021 none of the escapement goals that were assessed were met and the interim management escapement goal was not achieved for the third consecutive year.

The summer chum salmon have three established escapement goals and none were met in 2021. Escapement of summer chum salmon in all monitored systems was far below historical medians with escapement counts at the East Fork, Andreafsky Weir and the Anvik sonar coming in at less than 10 percent of their escapement goals.

Fall chum salmon have three established escapement goals in the U.S. portion of the drainage. None were met in 2021 and record low escapements were observed in each system. Fall chum salmon also have an interim management escapement goal that is assessed using Eagle sonar. It was not achieved for the second consecutive year.

Coho salmon have one established escapement goal and it has not been met since 2017. The escapement of coho salmon in all monitored systems was far below average in 2021.
Low run sizes are forecasted for chinook, summer and fall chum and coho salmon in 2022. The drainage-wide chinook salmon forecast is 99-150,000 fish. Run sizes less than 150,000 fish tend to not meet goals.

The Canadian origin chinook salmon forecast is 41-62,000 fish. Run sizes at the low end of the forecast would be among record lows and may not exceed the lower pounds of interim management escapement goal. Run sizes at the upper end of the forecast would fall within the goal, but would be smaller than the recent 10-year average of 64,000 chinook salmon.

The summer chum salmon forecast is 160-540,000 fish. Runs of this magnitude would be among the lowest on record and summer chum would need to return near the upper end of the forecast to meet the drainage-wide escapement goal.

The drainage-wide fall chum salmon forecast is 78-148,000 fish. The point estimate is approximately the same size as last year's record low run of 102,000 fish. The outlook range for Canadian origin fall chum salmon in 2022 is 20,000-37,000 fish. Both forecasts indicate drainage-wide and interim management escapement goals may not be met.

The outlooks produced for coho salmon are informal and uncertain. In 2022, the coho salmon outlook predicts the low average run. For all species, unless the runs exceed expectations, there may be no harvestable surplus in 2022.

Management of commercial salmon fisheries in the U.S. portion of the Yukon River Drainage is in accordance with State of Alaska Management Plans. Chinook salmon have not been targeted in Yukon River commercial fisheries since 2007. However, they may be caught incidentally in chum salmon commercial fisheries. Incidentally caught chinook salmon may be retained for subsistence uses or sold when authorized by emergency order.

In 2021, no commercial opportunities were provided for summer or fall chum salmon or coho salmon in the Yukon River due to low run sizes and subsistence fisheries closures.
Pippa Kenner will now continue the presentation with the summary of subsistence harvest history.

MS. KENNER: Thanks, Cory. So community salmon harvest composition typically reflect the salmon species that are most abundant locally, although other factors such as run timing, flesh quality, food preferences and number of dogs also contribute to harvest patterns.

Even though communities tend to harvest certain species of salmon more than others, the harvest of a mix of salmon species is a drainage-wide pattern and an important fishing strategy particularly in years when certain species have low abundance but others are prevailing.

Last year, 2021, was a year like no other in memory. No directed salmon subsistence fishing opportunity was provided. Salmon donated by ADF&G test fisheries made up the majority of the salmon that was consumed, an estimated 1,500 chinook salmon, 900 summer chum salmon, 700 fall chum salmon and 200 coho salmon.

This is far, far fewer than even the recent five-year average estimated harvest of approximately 30,000 chinook salmon, 70,000 summer chum salmon, 60,000 fall chum salmon and 5,500 coho salmon. This is a difference of about 160,000 fish total.

So the Office of Subsistence Management held teleconference public hearings on March 29th and 31st. Comments in support of the request where that relying on State management is not working. More tribal consultation is needed and creating change in a broken system is necessary to protect subsistence uses for future generations.

Comments in opposition were that these requests would make the fishery exclusive to those residing in rural Alaska, which would hurt people who have moved away for economic or educational opportunities or because of medical reasons and who depend on salmon for winter. They should not be penalized for their current health or for trying to gain employment or an education outside of the Yukon River Drainage area.
Additionally, this would be a burden on elderly people that rely on returning family members to help them harvest fish. The request would create animosity between user groups and between Native peoples. The current State and Federal cooperative management process is not causing the decline in salmon runs and would produce better results than the closure proposed in these Special Action Requests.

The Federal government should reduce bycatch of salmon in other fisheries. In False Pass Area M fisheries are intercepting Yukon salmon and should be restricted. Not Yukon fishers who are struggling with high cost and they're just trying to feed their families.

We all rely on salmon and the pool of users should not be reduced. Our treaty with Canada stipulates that the state must be in management control of Yukon River fisheries otherwise we could harm our relationship with Canada.

Finally, the request would cause user confusion because there are no lines on the river delineating Federal from State managed waters and subsistence users might get fined if they make a mistake.

Now there were some other comments and they primarily concerned the customary and traditional use determination for salmon in the coastal communities of Hooper Bay, Chevak and Scammon Bay, which is for fall chum salmon only.

The OSM conclusion is to support Special Action Request FSA22-01, 02, 03 and 04 as modified by three Regional Advisory Councils to include coho salmon in the closure. OSM is recommending that no Federally qualified subsistence users be removed from the pool of eligibility primarily because all of these rural communities are situated within or near the Yukon River Drainage, the area under consideration in these Special Action Requests.

The modified regulation would read Federal public waters of the Yukon River Drainage are closed to the harvest of chinook, summer and fall chum and coho salmon except by Federally qualified subsistence users effective on June 1st, 2022 through
September 30th, 2022. Federal subsistence fishing schedules, openings, closures and fishing methods will be determined by the Federal Fisheries Manager.

We justified this conclusion with the following: Unprecedented low run sizes were observed for salmon in the Yukon River Drainage in 2021 resulting in no opportunity for subsistence uses of chinook in fall and summer chum and extreme hardships along the river.

Based on preseason forecast, it is likely that the 2022 chinook and summer and fall chum salmon runs into the Yukon River will not provide a significant harvestable surplus and the subsistence fisheries will be closed in part if not all of the season.

The negative impacts of low run sizes and limited harvest have on food security and traditional ways of life for subsistence users justify closure to the harvest of chinook, chum and coho salmon by non-Federally qualified users and uses based on ANILCA Section 815. This closure is necessary for the conservation of healthy populations of Yukon chinook, chum and coho salmon and to continue subsistence uses of these resources.

Thank you, Mr. Chair. Members of the Council. That's the end of our presentation.

We're available to answer questions.

CHAIRMAN CHRISTIANSON: Thank you, Pippa. Any questions from the Board for the Staff on the analysis as presented.

(No comments)

CHAIRMAN CHRISTIANSON: All right. Thank you. No questions.....

MS. PITKA: This is Rhonda.

CHAIRMAN CHRISTIANSON: Yes, you have the floor, Rhonda.

MS. PITKA: Yeah, so under local residency it says that the communities of Scammon Bay,
Hooper Bay and Chevak don't have C&T on this river; is that correct?

MS. KENNER: That's right.

MS. PITKA: And what are the steps that OSM has taken to make sure that they are covered because they are living within a part of the drainage, right?

MS. KENNER: That's right. For the record, this is Pippa Kenner. Thanks for the questions, Rhonda. So we've done several ways of outreaching to these communities. A lot of it by the Federal in-season manager and contacting Regional Advisory Council members who live in this region. My understanding is -- I've been told that these proposals are expected to arrive at OSM for this fisheries regulatory cycle.

Thank you.

MS. PITKA: Thank you for that. I appreciate it.

CHAIRMAN CHRISTIANSON: Do any Board have questions for Staff.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Yes, Gene, you have the floor.

MR. PELTOLA: Thank you, Mr. Chair. I was wondering if OSM Staff could refresh the Board's memory with regard to the delegation of authority. I'm not necessarily asking that all the delegation be read, but those areas which identify the authorities granted by the Board to the Federal in-season manager and what is required with regard to any type of outreach between other managing parties.

Thank you, Mr. Chair.

MS. KENNER: Thank you, Member Peltola. Through the Chair. I'm bringing up the letter now.

REPORTER: Pippa, before you start this is Tina. Could I have you speak up just a little bit.
MS. KENNER: Yes, Tina. Thank you.

REPORTER: I'd appreciate that, thanks.

MS. KENNER: I'm reading through it now to find the applicable part. Okay. It's in the section Scope of Delegation. It's important to know that the regulatory authority hereby delegated is limited to the issuance of Emergency Special Actions. Such an emergency action may not exceed 60 days and may not be extended.

The delegation permits you to open or close Federal Subsistence Fishing periods or areas provided under codified regulations. It also permits you to specify method and means to specify permit requirements and to set harvest and possession limits for Federal subsistence fisheries.

This delegation also permits you to close and reopen Federal public waters to non-subsistence fishing, but does not permit you to specify method and means, permit requirements or harvest and possession limits for State managed fisheries.

This delegation may be exercised only when it is necessary to conserve healthy populations of fish or to ensure the continuation of subsistence uses.

All other proposed changes to codified regulations such as customary and traditional use determinations or request for special actions greater than 60 days shall be directed to the Board.

I would like to ask Member Peltola if I answered his question or would you like to hear more about consultations that the Federal in-season manager is directed to have.

MR. PELTOLA: Yes to the latter, Mr. Chair. I was wondering, Pippa, if you'd be -- can you also identify what FT the delegation of authority is specifically assigned to by the Board.

MS. KENNER: Okay. I'll answer that first. I believe it is addressed to the Subsistence Fisheries Branch Chief. I'm just trying to abbreviate the rest of my response. Okay. You will provide
subsistence users in the region a local point of contact about Federal subsistence fishery issues and regulations and facilitate a local liaison with State managers and other user groups.

For in-season management decisions and special actions consultation is not always possible, but to the extent practicable two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's government-to-government tribal consultation policy.

That is the end of my summary of those contents of the delegation of authority letter.

MR. PELTOLA: Thank you. I appreciate it. Mr. Chair, one additional follow-up. Anywhere in the delegation of authority letter, Pippa, does it ask or request the Federal in-season manager exercising the delegated authority to have Emergency Special Actions and such reviewed by OSM and/or the Solicitor's Office?

MS. KENNER: I do not see that. Can one of our Staff members help me if they do see that in the letter of delegation.

MS. KLEIN: Mr. Chair, this is Jill. Can Mr. Peltola repeat the question.

MR. PELTOLA: Yeah. Thank you, Jill, for the request for clarification. I was inquiring as to whether delegation of authority letter from the Board to the Federal in-season manager if it identified a requirement or a request that all in-season action, i.e. when an in-season manager cuts an Emergency Special Action or with regard to in-season management is there a requirement to have that reviewed by OSM and/or the Solicitor's Office?

MS. KENNER: There is some language about notification, but not review.

MR. PELTOLA: Okay. Thank you much. Appreciate it.

MS. KLEIN: Mr. Chair. This is Jill
Klein again. If I could also just clarify some of the language. It's in the beginning of the delegation of authority letter and it says it's the intent of the Board that the Federal Subsistence Fisheries management by Federal officials be coordinated prior to implementation with the Regional Advisory Council representatives, the Office of Subsistence Management and the Alaska Department of Fish and Game to the extent possible.

MR. PELTOLA: Thank you, Jill. That's what I was looking for. Appreciate it.

CHAIRMAN CHRISTIANSON: Thank you, Staff. Thank you for those questions. Any other Board would like to ask a question on the analysis from the Staff on this agenda item.

MS. PITKA: Yes, this is Rhonda.

CHAIRMAN CHRISTIANSON: You have the floor, Rhonda.

MS. PITKA: So seeing as how the run has been -- well, in the last I think three years. This would be going into the third year with no harvest. Is there very much likelihood that there will be harvest this year? I mean, if so -- if there's already going to be no harvest, like what is the effect of this proposal? Thank you.

MS. KENNER: Thank you for the.....

MR. GRAHAM: Mr. Chair. Through the Chair. This is Cory Graham with OSM. Thank you for your question. So the forecasts are very poor this year. The forecast for I think both fall and summer chum are below their escapement goals. The forecast is also poor for chinook salmon. Whether that will lead to harvest opportunity I would probably need to defer that to the Federal In-Season Manager, Holly Carroll.

MS. KENNER: This is Pippa Kenner. Before Holly Carroll comes on I was just going to continue replaying by saying if this Special Action Request is adopted as modified -- is approved as modified, non-Federally qualified users and uses would not be able to target salmon on the Federal public waters of the Yukon River Drainage and that includes
commercial and sport fisheries.

Thank you.

MS. CARROLL: Hi, this is Holly Carroll with Fish and Wildlife Service, the Federal In-Season Manager. Would you like me to respond to Board Member Pitka?

CHAIRMAN CHRISTIANSON: Yes, please.

Thank you.

MS. CARROLL: Okay. Thanks for that question, Rhonda. Yes, our forecasts are indicating that there could be basically no harvestable surplus for salmon this summer for any type of salmon fishing for subsistence users and there's definitely not a projected harvest for any other type of uses beyond that either.

Even to allow a subsistence harvest we would need to see each of the species' forecast come in at the higher end. For chinook at the top end of the projected run we would see some harvestable surplus, but the harvestable surplus that is projected is very small. You know, it could be as small as 3,000 fish.

In fact that surplus I just want to point out is smaller than the large amount of uncertainty on our in-season projections. So like the last couple years we will have to take a very conservative approach. So it could be that it is just closed like last year, so it would not feel different in that respect to answer your question.

MS. PITKA: Thank you. I appreciate that.

CHAIRMAN CHRISTIANSON: Thank you. Any other questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: All right. I just want to thank Staff for your readiness and ability to answer those questions. Thank you for that. We'll go ahead and -- I believe there is no questions from the Board for the Staff and the analysis. This is the opportunity where we would go ahead and open up the
floor for public testimony.

OPERATOR: As a reminder, if you'd like to make public testimony, please press star, one and clearly record your first and last name to be introduced. Again that is star, one. Thank you.

Our first comment comes from John Lamont. Your line is now open.

MR. LAMONT: Good morning, members of the Subsistence Board and Mr. Chair. My name is John Lamont. I've been a Yukon River salmon user, fisher, for over 50 years on the Yukon. I disagree with OSM's recommendation. Going back to the Constitution of the United States under Judicial Legislative Branch, the State of Alaska was garnished the power to manage and regulate the State lands and waters and all waters of the Yukon River Drainage are State waters. The only Federal waters are beyond the three miles.

After listening to public comments on March 29th and 31st, I don't see why the OSM provided the recommendation they did. The public comments the majority stated that they did not want to see this in place. Our users, our people, our indigenous people one between the other.

Lastly, the State of Alaska has done a great job in managing the fishery resource and their -- as you heard, their plans were to close down usage of salmon on the Yukon or the drainage this year should the runs come in below the expectations.

If this was implemented, it would definitely place hardship on our people if the run -- that live in other areas of their home village due to medical, educational and other reasons to come back home, would they be able to harvest the resource even if the run comes back amazingly high, higher than expected and we'd be stuck with this regulation in place. Therefore I totally disagree with the Office of Subsistence Management's recommendation.

Thank you, Mr. Chairman, members of the Board and Staff.

CHAIRMAN CHRISTIANSON: Thank you for taking the time to call in and present your view. Is
there any questions?

(No comments)

CHAIRMAN CHRISTIANSON: I appreciate you taking the time. Operator, is there another one in the queue? Thank you.

OPERATOR: Our next comment comes from Ben Stevens. Your line is now open.

MR. STEVENS: Thank you very kindly. Again, my name is Ben Stevens. I am Koyukon from Stevens Village, which is north of Fairbanks on the Yukon River. I grew up hunting and fishing. I currently work at the Tanana Chiefs. Under that umbrella is why I'm calling.

I'm calling on behalf of the Yukon River Inter-Tribal Fish Commission and I'm letting you know that per this series of SARs the executive committee of the Yukon River Inter-Tribal Fish Commission has not had the opportunity to fully flesh this issue out and formulate a consensus decision.

So that is my message this moment. Thank you, Mr. Chairman and members of the Board for this opportunity and for your service to the people and the resources.

CHAIRMAN CHRISTIANSON: Thank you, Ben. Any questions for Ben. Appreciate you taking the time to call in today.

(No comments)

CHAIRMAN CHRISTIANSON: All right. Hearing none. We'll go ahead and move on. Operator, is there anyone else online who would like to be recognized at this time?

OPERATOR: As a reminder, if you'd like to make a public testimony, please press star, one. Again, that is star, one. Our next comment comes from Darrell Vent. Your line is now open.

MR. VENT: Yeah, this is Darrell. Good morning. I'm from Huslia. I'm here -- can you guys hear me?
MR. VENT: I'm currently on the Western Interior Regional Advisory Council for the Federal Subsistence Board and also sit on a state board. We're having a real crisis here with our management of our food sources. Up in the Interior there we rely heavily on the chum salmon.

Once the kings crashed we've been hit pretty hard on the chum. Now we don't have no more fishing on the chums here last year. There was nothing that we could do about it. Our people are really hurting for food. We rely heavily on salmon during the summer months for a food source to get us through the winter. Once it crashed we realized that, you know, the way the State is managing, I don't know if it's called management, but from what I'm seeing is that there's no more fish out there for us to rely on. It's all up and down the Yukon River.

It's something I think that we really have to consider some kind of special action in order to make sure out people get their food needs met. Right now we are way under the level and depending more on food products from stores and that's not very helpful to our people. It's not healthy. We're not able to rely on our subsistence use, which was the Federal Subsistence Board's obligation to the tribes. We have not met our needs. So I'm really worried that we're going to be cut off from more of our food sources as of right now.

Back in 1972 they put the Pipeline through. We had a migration pattern of the Central Caribou Herd. We lost that migration pattern. We don't have any caribou entering our area anymore. Now we don't have no chum salmon, which we rely on for our food sources. It's getting harder and harder for our people to live in the villages because we don't have the food source.

So I'm concerned that if we don't do
anything about it and let these go the way it's been
going for the past 20 years, 30 years, that we're not
going to be able to live out there in the villages.
It's something that, you know, as a person from the
village -- I'm a tribal member of the Huslia Tribal and
it's not good seeing people being unhealthy. We're
really relying on this management.

If we don't make any recommendations,
we're not going to be able to live the lifestyle that
we have lived for ages. We took care of our foods.
Now we see what's happening to it. There's no respect
for our food no more.

Thank you for letting me speak.

CHAIRMAN CHRISTIANSON: Thank you. Any
questions. I appreciate you taking the time to call in
and share your perspective. I know the frustration out
there to not have an opportunity has got to be
mounting. I just appreciate the tribal citizens buy-in
to the program. So thank you for calling in today.

Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none.
Operator, is there anyone else online who would like to
be recognized at this time. Now is your opportunity.

OPERATOR: Our next comment comes from
Karma Ulvi. Your line is now open.

MS. ULVI: This is Karma, can you hear
me? Hello, this is Karma, can you hear me?

CHAIRMAN CHRISTIANSON: Yes, Karma, you
have the floor. Thank you. We can hear you.

MS. ULVI: Oh, thank you so much. My
name is Karma Ulvi, U-L-V-I. I'm the First Chief of
the Native Village of Eagle. I'm Han Kutchin
Athabaskan. Thank you so much for hearing us out
today.

So I just wanted to stress the
importance for those of us who live in the village and
rely heavily on the salmon. With the salmon declines
in the past few years has really been detrimental to our people especially with the prices going up. You know, it's like the main staple of food for us out there and we heavily rely on it to keep our people healthy, the wellness aspect, the spiritual aspect, showing our children and keeping our culture alive.

With the declines in the chinook and the chum it -- and I deeply respect people that have moved away to go to school or have medical problems and I think doesn't cut people out totally. I think it does make it to where they can still fish with people there in the villages and stuff, but we really need to keep some sort of protection for the fish for the people that live in rural Alaska and solely depend on this food.

So I'm in full support of this as one of the villages that did put in a letter and I strongly hope that this goes through and that we're able to let the people on the river eat their subsistence foods and culture foods and that kind of stuff.

Thank you so much for hearing me out today. Real quick also I just wanted to add that per ANILCA these were laws that were written to protect subsistence for us living out in rural Alaska. While commercial fishing and bycatch and all that is happening, all we're asking is really to feed our people. So I strongly hope that you consider.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you, Karma, for taking the time to call today. Any questions from the Board.

MS. PITKA: I have a question for Karma.

CHAIRMAN CHRISTIANSON: Go ahead. You have the floor, Rhonda.

MS. PITKA: Karma said something about non-Federally qualified users being allowed to fish with Federally qualified users and I'm not sure that's true. Can somebody please clear that up. Thank you.

MR. LORD: Mr. Chair, this is Ken. I
CHAIRMAN CHRISTIANSON: Yes, go ahead, Ken. You have the floor. Thank you.

MR. LORD: Non-Federally qualified users can come assist with the harvest in terms of processing. I should rephrase this. Can assist with processing and all those things that take place after the fish is caught. However, they cannot participate in the actual harvest of the fish.

MS. PITKA: Thank you for that.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: You have the floor, Gene.

MR. PELTOLA: Thank you, Mr. Chair. To further elaborate what Ken has presented, when I was Assistant Regional Director of the Office of Subsistence Management several years ago an inquiry from another management agency came in. We worked with the Solicitor's Office and came up with a response.

I personally am in a similar situation. When I first moved to Anchorage nine years ago, prior to moving I was a Federally qualified user. When I moved to Anchorage, I was not. I have family that still fishes and provides for 26 immediate and friends of the family with regard to harvest of fish and other natural or wild food sources.

So I as a non-Federally qualified user can go back to Bethel. I can run the boat with a certain limitation. I'll get back to this in a bit. I can run the boat, go get wood, I can chop wood, I can pack water, I can cut the strips, I can smoke the fish, all those activities. In addition to I could run a boat with the exception of manipulating the boat when it's drifting or picking a net. So I couldn't be involved in the take. I just wanted to provide that additional information as well.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Gene. I appreciate that. Operator, can you ask
somebody to mute their line. I can hear some feedback coming. Thank you.

All right. Thank you, Gene, for that perspective. Any other questions or comments. Operator, is there anyone else online who would like to be recognized at this time for public comments. Thank you.

OPERATOR: We currently have one in the queue. Mr. Jack Wholecheese, your line is now open. You may ask your question or make a comment. Thank you.

MR. WHOLECHEESE: Hello?

CHAIRMAN CHRISTIANSON: Hello, Jack.

You have the floor.

MR. WHOLECHEESE: Okay. Hey, you know, I'm 72 years old and I'm on the Koyukuk River Advisory Committee. Can you hear me?

CHAIRMAN CHRISTIANSON: I can hear you loud and clear. You have the floor.

MR. WHOLECHEESE: Okay. You know, last year when the Commissioner was flying around he stopped in Huslia and the people on the Koyukuk River they depend on the spring chum salmon and mostly the fall chum salmon to put away because we don't catch that many kings up this way. We rely heavily on the fall and the spring chums. Also our sheefish.

When they made that regulation on that four-inch mesh and if you see a sheefish up there, they're big. So when you try the sheefish in a four-inch mesh, which you don't, they bounce off. We're catching the (indiscernible) with a four-inch mesh. So I asked the Commissioner could you make it six-inch mesh and they gave us one week on the Koyukuk River to utilize the six-inch mesh. People didn't catch hardly any chums or anything, but they caught a lot of sheefish because the Koyukuk River people rely on the fish for winter.

I don't know how we're being punished up there on the Koyukuk River when we don't use our regular six-inch mesh because we don't catch that many
kings. I'm sure by the time we were done all the
spring chum went by and it was closed, so we didn't
have an opportunity to fish for the fall chum.

So the spring chum are our livelihood
up there. I'm a fisherman. I'm 72 years old and I go
out and I try to catch what I could, but I couldn't
last year. I put in a six-inch mesh and I caught some
whitefish and that's what we needed right there. And
we catch mostly pike up this way when the chums aren't
running. We catch a lot of pike.

My Great Uncle Steven Attla he used to
filet the fish, the pike. He'd cook it. So you know
we utilize all the fish that we catch up this way. All
these restrictions that they're putting on the
subsistence users and not putting on the trawlers and
the commercial fishermen.

People that's got money here in town or
any kind of income will either go to Fairbanks or go to
Kenai or down Chitina to try to get their fish. That's
how much we depend on the fish. I'm lucky I've got a
friend that fishes in Kenai and saves me filet fish
because he knows as an elder I need the fish.

That's my testimony of what I wanted to
tell you about the Koyukuk River. Thank you for being
so gracious and listening. I want to say I'm on the
Koyukuk River Advisory Committee and we had somebody
testify on behalf of the Koyukuk River people. We
don't do it just for one person. We do it for the
whole river.

It would be good if you'd give us
enough to eat this summer. Thank you.

CHAIRMAN CHRISTIANSON: Thank you for
taking the time to call in and your perspective is very
important to our discussion today. We're providing the
best we can for an opportunity, but we'll see how we
can get through this together. Thank you for calling
in. Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: I appreciate
you taking the time to call in and give us your
perspective. Thank you.
Operator, is there anybody else in the queue who would like to be recognized at this time?
Thank you.

OPERATOR: As a reminder, if you'd like to make a public testimony, please press star, one. Again that is star, one. There are currently no further participants in the queue.

CHAIRMAN CHRISTIANSON: We'll go ahead and move on after the public testimony there. We appreciate everyone who has taken the call this morning and their time. I just wanted to provide that opportunity because I think it's really important for us as the Board to hear the local perspective because it goes up and down the river.

As we heard today there's various viewpoints on how this affects everybody's life, but what we do know is there's limited to no activity and it's drastically impacting the social life on the river. So we'll definitely, you know, continue to try to resolve this and work towards a common goal here.

With that I'd just like to thank all the people that called in and we'll go ahead and move on to our Regional Advisory Council recommendations. We have a couple on this one from the Yukon, to the Western, to the Eastern and the Seward. So we'll go ahead and call on the Yukon Kuskokwim Delta Board Chair to give your presentation.

Thank you.

MR. ONEY: Yes, good morning, Mr. Chairman, can you hear me.

CHAIRMAN CHRISTIANSON: Yes, you have the floor, thank you.

MR. ONEY: Thank you, Mr. Chairman.
For the record my name is Raymond Oney. I am the Yukon Kuskokwim Delta Regional Advisory Council Chair.

The Yukon Kuskokwim Delta Subsistence Regional Advisory Council supports FSA22-01, 02, and 03 with modification to allow the area of the Black River drainage situated south of the mouth of the Yukon River to remain open to the harvest of chinook and summer and
The Council discussed that the Yukon River has been experiencing low chinook salmon runs for the last 20 years and now the chum salmon run have declined at an alarming rate. The Council supports continuing conservation efforts to help the chinook and chum salmon stocks rebound. Everyone needs to be at the table to help conserve these fish.

The Council stressed that people can't just keep fishing until the salmon are fished out.

However, subsistence communities have been suffering for the lack of salmon so if there are enough salmon to allow some harvest then the Federally-qualified subsistence users would have priority under Federal management.

This special action request is just for the 2022 fishing season which would allow opportunity to evaluate the effects.

The Council is concerned that the coastal communities of Chevak, Scammon Bay and Hooper Bay do not currently have a customary and traditional use determination for Yukon River chinook and summer chum salmon. The Council understands that the Office of Subsistence Management will assist these communities in submitting a proposal to address this. In the meantime for the 2022, under this special action request, the Council requests that the Black River area be omitted from Federal management so that these communities would not be excluded from this traditional salmon harvest area if there were to be a salmon fishing opportunity under Federal management.

The Council took action on these special action requests before FSA22-04 was received.

The modified regulation should read, and it's on Page 55 of the analysis.

50 CFR 100.27(e)(3), Subsistence taking of fish Yukon Northern area.

(ii) For the Yukon River drainage,
closures, closings and fishing methods are the same as being issued for the subsistence taking of fish under Alaska Statute AS 16.05.060 emergency orders unless superseded by a Federal action, Federal special action.

Federal public waters of the Yukon River drainage, except the Black River drainage are closed to the harvest of chinook and summer and fall chum salmon except by Federally-qualified subsistence users identified in the Section .804 analysis effective on June 1, 2022 through September 30, 2022. Federal subsistence fishing schedules, openings, closures and fishing methods will be determined by the Federal fisheries managers.

Mr. Chairman, that concludes my public testimony in regards to these special action requests.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you. Appreciate you taking the time to call in today and giving us your testimony, and also the history. So any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: Thank you. Operator, at this time is there anyone else that would like to be recognized at this time in the cue.

MS. DETWILER: Mr. Chair, I believe the next -- the next Council Chair to speak would be Jack Reakoff.

CHAIRMAN CHRISTIANSON: Yeah, sorry, Council Chair, I get stuck -- thank you for that, Sue.

MR. REAKOFF: Good morning, Mr. Chairman. Federal Subsistence Board members. For the record my name is Jack Reakoff. I'm the Chair of the Western Interior Regional Advisory Council.

Western Interior Regional Advisory Council reviewed FSA22-01 with modification to add coho salmon in the closure to harvest -- in addition to the harvest of chinook and fall chum also, and summer and fall chum, by non-Federally-qualified users. The Council took no action on the other proposals because
they weren't received in time for our meeting, which was FSA22-03, 03, and 04.

Members who have seen the benefit of the Federal management on the Kuskokwim River and something needs to be done to provide as much opportunity for the Federally-qualified subsistence users. The Council discussed concerns about limiting family participation when some family members who might be residing in urban centers are no longer Federally-qualified as subsistence users, come and assist. It is unclear -- the Council took testimony from the public regarding participation on the Kuskokwim River, we were trying to clarify the level of participation with currently non-Federally-qualified users that may be family members. There's a lot of problems associated with the salmon decline. As the Chair of the Koyukuk River Advisory Committee, we have several Committee members commenting about the brown bears, grizzlies, walking up and down the beaches, salmon didn't come back to many of the salmon spawning river drainages on the Koyukuk River and others associated Interior river drainages and so these bears are killing a lot more moose, which is a direct competition with the subsistence users and black bears, and so there was a lot of testimony from people about the black bear decline from brown bear predation and it's pushed a lot of the subsistence use to whitefish and sheefish and there's concerns about those stocks holding up against a lot of additional harvest that's being deflected away from the salmon.

So we feel that a subsistence priority for rural residents on the Federal public waters is necessary at this time.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Jack. Appreciate the perspective that some opportunity is definitely needed.

Thank you.

Next, we'll move on to the next Regional Advisory Council Chair. Thank you.

MS. DETWILER: That would be Eastern Interior, Charlie Wright.
MR. WRIGHT: Thank you, Sue. Thank you, Mr. Chair and Board members. Can you hear me?

REPORTER: Yes.

MR. WRIGHT: Hello.

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

MR. WRIGHT: Okay. For the record, this is Charlie Wright, Vice Chair of the Eastern Interior Regional Advisory Council.

The Eastern Interior Council voted to support FSA22-1, 2, 3, and 4 as modified by Yukon Kuskokwim Delta and Western Interior Councils. The Council supports this special action request due to ongoing concerns about Yukon River salmon abundance. Low run sizes have resulted in fishing restrictions in recent years and in 2021 a complete closure of the subsistence salmon fishery on the Yukon River. This has created extreme hardship for rural residents of the region to meet their subsistence needs.

The special action request will help ensure a subsistence priority if there is a harvestable surplus for salmon.

The Council also supports the effort of this special action request to bring attention to the current issues surrounding Yukon River salmon management and to try to bring about change.

The Council supports the modifications suggested by other Regional Advisory Councils to include coho salmon since it is also an important subsistence salmon species and to exclude the Black River because that drainage is used for subsistence salmon fishing by coastal community residents who do not yet have a customary and traditional use determination for chinook and summer chum salmon.

That concludes the position and justification provided by the Eastern Interior Council.

At this time, I would like to add a few additional comments for myself, if I may.
CHAIRMAN CHRISTIANSON: Yes, you have the floor.

MR. WRIGHT: Thank you, very much. I am the submitter of Federal Special Action 22-01. I have submitted this Federal action for two reasons.

To ask the Federal Subsistence Board to uphold the conservation mandates of ANILCA;

To ask the Federal Subsistence Board to uphold the provisions of ANILCA to provide a subsistence priority during times of restrictions for rural communities who have no reasonable access to other resources.

There's elders and children and people -- some villages have no store. Some villages in the areas have lack of moose now, the numbers are down on the river corridor in some places, including my own village, and my village does not have a store. This past winter, due to Covid and other problems, the food sources coming over the border slowed down and a lot of the communities in the Lower River and Interior had no food on their shelves. With the lack of moose and fish and food from the city, things got real tough for people. I just wanted to add that note.

In my special action request I wrote: The current Yukon River Salmon Management system wherein the State manages the chinook and chum salmon fisheries with no passive consent, but no direct intervention by the Federal in-season managers for well over a decade. It's not working and has repeatedly failed to uphold the provisions of ANILCA.

The OSM analysis you have in front of you acknowledges that there has been not a single direct Federal action on Yukon River salmon since 2009, and OSM acknowledges that. Federally-qualified subsistence use of Yukon salmon are generally managed by State issued emergency orders. The practice of the Federal Subsistence Management Program to hand over their duty to uphold ANILCA to the State of Alaska, which does not have a rural subsistence priority, has systematically failed Federally-qualified subsistence users. At the root, these four special action requests are simply asking the Federal Subsistence Board to follow Federal law and doing your job of conserving our
salmon while providing as much subsistence opportunity as possible.

Some recent examples of conservation and subsistence management failures, in 2019, Federal in-season managers and ADF&G allowed Yukon River commercial fishermen to sell several thousand chinook salmon they harvested while targeting chum salmon.

In 2019 the State of Alaska failed to meet the Yukon River chinook salmon border passage goal.

In 2019 the State of Alaska allowed the collective harvest of 50 percent of Canadian chinook run.

An example of the massive mismanagement of a very declined run essential for subsistence by ADF&G.

The State of Alaska also failed to meet the Yukon River chinook border passage goal in 2008, '10, '12, '13, while allowing commercial harvest of chinook salmon in 2008 and '10.

I know that commercial is important to the villages on the coast and I don't really like to take that away from anybody and I wish there was more salmon for everybody.

And the problem we are addressing today is that in every one of these cases the Federal in-season simply reviewed and then rubber-stamped these ADF&G actions. ANILCA is the law of the land and Katie John fought to make sure that these subsistence protections under ANILCA applied to fisheries in Federal waters. In these special action requests we are not asking you what is most beneficial for you or your family or people in urban areas that have other resources, we're asking you to uphold ANILCA to ensure that when it's necessary to restrict harvest for conservation in Federal waters, that subsistence uses remain the priority. Please remember that ANILCA subsistence priorities is intended for rural communities who have no reasonable access to other resources. The only way to ensure this is for the Federal Subsistence Board to assume management of Yukon chinook, summer, fall chum, coho throughout the 2022
season by closing Federal public waters of Yukon River drainage to the harvest of chinook, chum salmon and coho except by Federally-qualified users in '22.

I really feel for all the people affected by the way fishing has ended up on the Yukon. There hasn't been any fishing in the past year and there won't be again this year. So the people in the cities and off the river corridor will not be fishing again this year or the people living on the river. To me, it's about the law, and the law needs to be followed and ANILCA has not been upheld and followed for years.

Living our way of life keeps us healthy, it's mental, physical, and spiritual to the people of the river. I do all my advocating for conservation and well-being of the people I serve and would like all to think and operate in this manner. Think of the elders and people who have no other source or opportunity. Over 60 villages are affected by our actions. I really don't want to see no more sustainable management if the run comes in good again.

I really appreciate your time in listening to me today, Mr. Chair and Board members. That's all I have, thank you.

CHAIRMAN CHRISTIANSON: I just appreciate you taking the time to call in, both as a Regional Advisory Council and a long time person connected to the resource like that, and I just value all those perspectives especially why we're here. We come with compassion and love for not only the resource and our people, but how do we find harmony between all of us and so appreciate you giving us your perspective today.

Thank you.

MR. WRIGHT: Thank you.

CHAIRMAN CHRISTIANSON: Yes. Any other questions from the Board, if not, we'll move on to the next Regional Advisory Council Chair.

MS. PILCHER: Good afternoon, Board members. For the record my name is Nissa Pilcher,
Council Coordinator for the Seward Peninsula Subsistence Regional Advisory Council.

The Council supports FSA22-01, 02, 03 and 04 as modified by both the Yukon Kuskokwim Delta and the Western Interior Alaska Councils.

This Council supported the requester as well as the other Council modifications.

Thank you, and that concludes the testimony for the Seward Peninsula Regional Advisory Council.

CHAIRMAN CHRISTIANSON: Thank you, very much. Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none, we'll go ahead and move on. Is there any other Regional Advisory Councils that need to be recognized.

(No comments)

CHAIRMAN CHRISTIANSON: All right, that concludes our Regional Advisory Council recommendations. We'll go ahead and move on to the Tribal Alaska Native Corporation comments. We'll call on Orville Lind at this time, you have the floor.

MR. LIND: Good morning, Mr. Chair and Board members. My name is Orville Lind, Native Liaison for the Office of Subsistence Management. Can you hear me well.

CHAIRMAN CHRISTIANSON: Yes, Orville, you have the floor, and thank you.

MR. LIND: Thank you, Mr. Chair. We held a consultation for tribal and ANCSA Corporations on April 5th, and it was very well attended. There were some really great discussions back and forth. Again, this was an opportunity for the tribes to consult directly to the Federal Subsistence Board and their representatives or delegates and for the Federal Subsistence Management Staff. After the overview of the special action request we conducted — or allowed question and answer period and, again, a lot of great
discussions came out of that.

I will now provide you with the summary for both tribal and ANCSA consultations and address some of the main concerns and comments that the tribes shared with the Board during that consultation.

Beginning with a Nulato resident, stated that the chinook salmon is a major part of their daily subsistence and traditional uses. And they had a very difficult winter, and not only in Nulato but the entire Yukon drainage, and they cannot foresee having endured that kind of life situation again. Addressing the Board, to please keep in mind as you folks are putting your heads together that we are talking about traditional lifestyles. It is something that they are gifted and they respect it dearly. Mentioned that, please don't change the way of living to compliment high seas fishing or other things that interfere with the king salmon runs. And they did say that they think they are in full support but she was going to find out.

An Eagle resident stated that something has to change, the State management has not been working well. They have not harvested fish for a few years. It is hurting their traditional ways and it's really difficult and tough on the people. Empty smokehouses is changing the way of life having to go to stores and buying un-traditional foods. If salmon aren't there we don't take them, and they said we don't let -- we let them increase and come back. Please don't take away our way of life. And Eagle indicated they are in support of the proposal.

A Hooper Bay resident said that they are not commercial fishermen and they are subsistence fishers only. Another resident also said that they set their subsistence nets during high tides only in the bay because low tides, the gull tend to eat the fish. Hooper Bay indicated they are in support of the special action.

The Chair of the Yukon River InterTribal Fish Commission as a fisherman from the Yukon River, his community, of course is Rampart, Alaska, wanted to say that, they understand the intent of the special action request but is concerned that it miss-aligns with tribal stewardship. Also indicated that, you know, stating that they recognized the
responsibility and authority to exercise tribal rights
as stewards to their traditional territories and
resources. Since time immemorial we have properly
cared for the fisheries and the Yukon River and its
tributaries but for the past 100 years, Canadian --
State of Alaska have managed with no deference to
tribal governments. The special action request will
continue to leave all Yukon River salmon management
decisions in the hands of the Federal government and
the State government in waters to which Federal
subsistence jurisdiction, again, does not apply in
State -- the special action request will also continue
to leave the fate of tribal governments and communities
and their people at the fate of someone else's control.
The special action request does not address high
subsistence use areas of non-Federally-qualified users
as demonstrated by years of harvest from Canada just
above the Yukon River and just above the Yukon River
bridge. That they believe also that the government
should be working with the tribes and the Fish
Commissions, Steward tribal governments, tribal co-
management of fisheries on the Yukon River. The tribes
are united, especially with the Fish Commissions. They
have the capacity and they are based on tribal
sovereignty. They also stated that further work on the
special action requests, tribal consultation and
government -- government is with the Fish Commission
and that they are working towards co-management and
tribal governments are continually left out. Their
decisionmaking powers are very much diminished in many
of these systems.

There was a representative from the Sea
Lion Corporation, that the exclusion of Hooper Bay for
not having customary and traditional use of salmon is
not a real good thing for the village of Hooper Bay.
They were being excluded from something that they have
historically used for food as a subsistence resource,
even prior to statehood and prior to the establishment
of Wildlife Refuges. They say that within the three
mile limit that's supposed to be -- or could be managed
by the State of Alaska, however, he thinks that their
subsistence purposes -- that are not being fair to the
people there at the village. If the Federal management
of the Yukon River ends up being implemented because of
Hooper Bay's -- the weather -- meaning that if there is
northwest winds prominent for awhile on the coast the
salmon do not run into Hooper Bay. It's like a
stomping ground before they head up to the Yukon. If
we are not included as custom -- as customary and
traditional users of this salmon, under State
management, could probably end up being treated like
criminals. Continued to state that tagging studies that
were done back in the 1980s, they tried to identify
some stocks that may be heading through the Yukon or
the Kuskokwim River. And they are fished commercially
down in Area M. They caught some tags there on the
Kuskokwim and the Yukon and the State said they're not
scientifically conclusive studies so they threw it out
as having any impacts on commercial fishing on the
Aleutian Islands. One of the things that they would
request is that might be that the subsistence
management and the Federal Subsistence Board should do,
is ask the State of Alaska how much chums is harvested
by the commercial fisheries that are down there that
may be bound for the Yukon and Kuskokwim Rivers because
it does impact the return of chum salmon that are
headed in that direction. One other concern is that
the State of Alaska is also going to have an impact on
chum salmon rivers is the proposed Ambler Road that's
going to go up and impact -- or go across the Koyukuk
River near Aleknagik -- Allakaket -- and about 300,000
chum salmon have been counted there in that stream
before so it's going to have a potential impact on chum
salmon that are going to be returning to that river
system. So they are going to request -- are requesting
is that the deliberation of some of these discussions,
that they should ask for more information on how State
is being allowed to harvest the chum salmon in the
commercial fisheries.

And in summary of all of this, the
majority of the consultation was spent in great
discussions, conversations, they were sharing
information and asking and answering questions of each
other. And, as always, these consultations are very
helpful to our Federal Board members and
representatives who can speak directly with each other.
And we certainly appreciate the folks that have been
calling in in the past consultations because some of
these proposals and special actions are really
impacting on how they harvest subsistence foods.

With that said, Mr. Chair, that
concludes the tribal and ANCSA Corporation comments.
I'm here for any questions.

CHAIRMAN CHRISTIANSON: Thank you,
Orville. And we'll go ahead, any questions for Orville on the tribal, Native comments.

(No comments)

CHAIRMAN CHRISTIANSON: All right, no questions. We'll go ahead and call on the Alaska Department of Fish and Game comments. Mr. Mulligan, you have the floor.

MR. MULLIGAN: Thank you. Mr. Chair, appreciate that. For the record this is Ben Mulligan at the Alaska Department of Fish and Game.

The Department has reviewed Fisheries Special Actions 22-01, 2, 3 and 4, and opposes these proposals.

Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service fisheries managers have cooperatively managed the chinook, summer chum, and fall chum salmon runs in the Yukon River by focusing on the common mandate to manage salmon fishing to meet escapement goals. Both entities work to prioritize subsistence fishing as mandated by our respective laws and regulations. Prior to the fishing season, the Department and the Fish and Wildlife Service fishery managers meet with fishermen to discuss preferred pre-season management options based on the outlooks and recent performance of the salmon runs. These meetings are crucial to gain public trust along the entire Yukon River and understanding of the complex salmon management regime. Once the salmon season begins management meetings often occur daily. Yukon River salmon fisheries management is driven by U.S. obligations to achieve annual border escapement and harvest sharing objectives for Canadian origin stocks as defined under the Yukon River Salmon Agreement. Although only a portion of total annual Yukon River chinook and fall chum salmon runs are Canadian origin, annual timing and abundance of these runs as they migrate through the Alaska portion of the drainage fully overlaps and mixes with Alaskan origin Yukon River chinook, summer chum, pink, fall chum and coho salmon runs. As a result, it is not possible to explicitly manage for Canadian origin transboundary stocks. They must be managed simultaneously with overlapping Alaska origin stocks. As the responsible management entity for the United States, it is Alaska
Department of Fish and Game's responsibility to manage the Yukon River salmon fisheries to achieve annual Canadian border escapement and harvest sharing objectives for Canadian origin stocks.

Because of the overlapping and mixed nature of Alaskan origin stocks, the authority and responsibility extends to management over all of the Yukon River salmon stocks.

If this special action request is approved, Fish and Wildlife Service in-season managers would still need to seek approval for any management actions they recommend as they would impact the Alaska Department of Fish and Game's duties under the Pacific Salmon Treaty as the responsible management entity to manage for the objectives for Canadian origin stocks.

As well as its obligations under the Pacific Salmon Treaty, the State of Alaska has a Constitutional mandate to manage for sustainable salmon runs and provide for reasonable subsistence opportunity when there is a harvestable surplus. The Yukon River Chinook Salmon Management Plan includes regulatory closures during the first pulse of chinook salmon when the pre-season forecast indicates insufficient abundance to meet escapement goal objectives and subsistence harvest needs. If in-season run assessment information indicates sufficient abundance of chinook, summer chum or fall chum salmon to meet escapement objectives, subsistence salmon fishing opportunity will be provided on an expected harvestable surpluses. Yukon River subsistence salmon fisheries would open based on schedules implemented chronologically consistent with migratory timing as the salmon runs progress through the system. Subsistence fishing periods may be altered if it is determined that pre-season or in-season run assessment indicates it is necessary for conservation purposes. If the chinook or chum salmon runs are projected to meet escapement goals within a district, subdistrict, or portion of a district or subdistrict, subsistence fishing may be open. During times of chinook or chum salmon conservation fishing openings may have gear limitations, including reduced gillnet mesh size and length and selective gear types such as live release fishwheels, dipnets, beach seines and hook and line. These gear types allow for a subsistence harvest of non-salmon or pink, sockeye and coho salmon while
conserving chinook and chum salmon.

If this Federal special action is implemented in the 2022 fishing season there are anticipated negative impacts to subsistence fishing in the Yukon River. The last special -- the last Federal special action on the Yukon River in 2009 during a low run of chinook salmon and only Federally-qualified users were able to participate in that fishery, during this action managers heard frustrations from fishermen, in particularly, elders due to the exclusion of family or friends living in non-rural areas from assisting with fishing activities in rural areas. Subsistence fishing along the Yukon River is often a group effort with multiple generations working together to accomplish fishing tasks. It also excluded stand-alone or urban families that previously lived in rurally qualified areas from participating in Federal waters creating a loss of traditional and cultural subsistence salmon fishing activities. If approved, this 2022 Federal special action will likely lead to similar issues from the past causing division among fishing groups and the users along the Yukon River and unnecessary management complexity. This may also cause an increase in enforcement complexity as well and subsistence fishermen may end up being confused on where or when they can fish within State or Federal waters.

Thank you, Mr. Chair. That's the Department's comments.

CHAIRMAN CHRISTIANSON: Thank you, Mr. Mulligan. Any questions from the Board for the State.

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, thank you, Mr. Mulligan. We'll move on to the InterAgency Staff Committee comments. We'll call on Ms. Robbin LaVine.

MS. LAVINE: Thank you, Mr. Chair. Members of the Board. For the record this is Robbin LaVine, Subsistence Policy Coordinator for the Office of Subsistence Management and the ISC -- InterAgency Staff Committee Chair.

The InterAgency Staff Committee
acknowledges the importance of concerns raised by the many voices along the Yukon River which includes the proponents of Fisheries Special Action 22-01, 22-02, 22-04 and 22-04, the Regional Advisory Councils, those that participated in the public hearings and the tribes and corporations that participated in consultation.

Significant changes have occurred since the Federal Subsistence Board last acted on similar special action requests in 2015. The 2021 Yukon River drainage-wide run sizes of chinook, summer chum and fall chum salmon are some of the lowest on record resulting in a closure to subsistence salmon fishing throughout the river last season. This had devastating effects on families that rely on Yukon River salmon for subsistence. It is clear that there was support from all four Regional Advisory Councils with customary and traditional use determinations for salmon to close Federal public waters of the Yukon River drainage to the harvest of chinook and summer and fall chum salmon except by Federally-qualified subsistence users from June 1st through September 30th, 2022.

It is also clear from other rural residents of the Yukon River who testified at public hearings, tribal consultations, and at Regional Advisory Council meetings that there are concerns as well as opposition to this proposed action.

The Yukon River requires intensive in-season salmon management due to varying run sizes and timing, the complexity and interaction of the fisheries and difficulties in accurately accessing in-season run strength. Uncertainty has periodically led to inequity of harvest wherein some portions of the Yukon River drainage were open when harvestable surpluses were projected while others were closed once new data indicated escapement goals might not be met. For the most part, however, cooperative Federal and State managers have worked together with Yukon River fishing families to promote fairness and equity in subsistence fishing along the entire Yukon River drainage, something rural residents from the Yukon River have repeatedly requested.

The 2022 outlook is poor for chinook, summer chum and fall salmon -- fall chum and coho salmon with subsistence closures and restrictions expected.
Sportfishing, personal use, and commercial fisheries are also expected to be closed for salmon all season.

In-season assessment indicators and management confidence will determine if subsistence fishing for salmon will remain closed, or conversely, if confidence is high and escapement is likely to be met subsistence fishing opportunities with selective gear may be allowed.

Regardless, if Federal public waters are closed to non-Federally-qualified users by either the Board, through this special temporary special action request, or by the Federal in-season manager through delegated authority to issue emergency special actions to open or close subsistence fishing periods or areas provided under codified regulation, management of State waters would be unaffected. The patchwork nature of land ownership along the Yukon River is what led to coordinated management and consensus-based decisionmaking over the past 20 years. Parallel in-season management actions and joint news releases have minimized duplication of effort that may have resulted through separate implementation of Federal and State management actions along the Yukon River.

There are many compounding factors that are contributing to low salmon returns. Failure to meet summer chum and fall chum salmon escapement and harvest goals the past two seasons has been due to record low runs. Even though salmon harvest by Federally-qualified users is small when compared to the overall harvest by rural Yukon River residents and their family members, the Board may consider actions to ensure the conservation and continued viability of healthy salmon populations, and, when possible, to ensure the continued subsistence uses of Yukon River salmon.

If the Board decides to implement a closure, it may be prudent for Board members to focus on how best to address the concerns identified by the proponents of the special action request, as well as the effects of the special action request on fishing families, traditional subsistence practices, established management protocols and communications, plus the lack of clarity around how jurisdictional issues of Federal and State waters will affect fisheries and enforcement of those fisheries.
Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Robbin. Any questions for Staff.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Yes, Gene, you have the floor.

MR. PELTOLA: Thank you, Mr. Chair. I'd like clarification on a couple statements in the summary of the closing paragraph. So the ISC comment says, it may be prudent for Board members to focus on how best to address the concerns identified by the proponents of the special action request. What, specifically, did the ISC have in mind when they made that statement, and the second question is at the closing end of that paragraph, I was wondering if I could get a clarification on what the ISC meant by, to quote, "plus the lack of clarity around how jurisdictional issues of Federal and State waters will affect fisheries and enforcement of those fisheries."

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any other questions for the Staff.

MR. PELTOLA: Mr. Chair, I was wondering if I could get a response from the ISC for clarification of what their intent was.

CHAIRMAN CHRISTIANSON: Yes, yes, from the Staff, thank you.

MR. PELTOLA: No, thank you.

MS. LAVINE: Thank you, Mr. Chair. Through the Chair. Mr. Peltola, this comment was produced by and reviewed by the entire ISC. And I may request some assistance in response from my fellow ISC members, and if you will pause I -- I hope one of them will speak up.

Thank you, Mr. Chair.

MS. KLEIN: Mr. Chair, this is Jill
Klein with Fish and Wildlife Service.

CHAIRMAN CHRISTIANSON: Yes, Jill, you have the floor. Thank you for taking this up.

MS. KLEIN: Thank you. So, Gene, so your first question regarding the intent of the proponents. When we looked at the OSM analysis and the -- in the discussion section on Page 1, there are three statements that are raised by the proponents of the special action regarding the current management, be it Federal and State management and the issues around other uses of commercial fishing and subsistence harvest over time. The number 2, was in reference to the escapement goals, and certain years that they were not met. And then No. 3 is talking about the inequity of harvest within the drainage. And so those are important issues that were raised by the proponent and there have been some questions and some discussion thus far in the meeting today but if there's anything else around those issues that the Board feels like it's important to discuss, we were recommending, that we talk about that as needed in our decisionmaking as well as the potential impacts, you know, that we may have heard from people who testified at public hearings or tribal consultations and you addressed the issue regarding what a non-Federally-qualified subsistence user, you know, may or may not do in closed Federal public waters.

So does that answer the first part of your question?

MR. PELTOLA: Yes, thank you.

MS. KLEIN: And then around the second part regarding jurisdiction and enforcement due to a patchwork nature of the Yukon River and how we have multiple jurisdictions, we've also been working internally trying to look at maps and boundaries and also wanting to make sure that it will be clear to people on the Yukon River who fish, where they would be fishing, if it would be in Federal or State waters and under what regulations they would be fishing and making sure that we have proper communications in place to notify the public about who can and cannot fish and where they may or may not fish and that enforcement is also aware of all that information and -- and what will be -- how will enforcement act this season.
So we -- we wanted to raise that issue. And I would just remind you that the Federal in-season manager is on the call if we do have any questions on any of these topics.

CHAIRMAN CHRISTIANSON: Thank you, Jill. Did that answer your question Gene, and the floor is open if there's any additional questions from the Board for Staff.

MR. PELTOLA: Yes, it addresses clarification for me and I do appreciate it..... (Cell phone ringing)

MR. PELTOLA: .....Jill from the Fish and Wildlife. Sorry about that, my phone, it wasn't on vibrate.

CHAIRMAN CHRISTIANSON: Thank you. The floor is still open for questions. That was the ISC recommendation.

(No comments)

CHAIRMAN CHRISTIANSON: All right. Then.....

MS. LAVINE: Mr. Chair, this is Robbin.

CHAIRMAN CHRISTIANSON: Yes, Robbin, you have the floor.

MS. LAVINE: I would just like to clarify that when the Regional Advisory Councils have an opportunity to provide recommendations, the ISC provides a comment.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Is there any further Board questions or discussion. If there is no other Board discussion we will open the floor at this time for a motion.

MS. KLEIN: Mr. Chair, this is Jill Klein. I do have a question, if possible, for the in-
season manager and just wanting to share a little bit more information perhaps.....

CHAIRMAN CHRISTIANSON: Yes, Jill, you have the floor.

MS. KLEIN: .....before you move for a motion.

CHAIRMAN CHRISTIANSON: Yeah, we can do that, Jill. I think the more we put on the record the better, it's just such a complex issue and trying to get the education out there is important, so, thank you.

MS. KLEIN: All right, thank you. So for the Federal manager, and with Gene raising kind of that -- those questions that he just raised about what additionally we might talk about, I wanted to refer to a comment by the proponent about the current management system not working and to ask -- and regarding the failure to meet escapement goals, and ask the Federal manager how we would define management that -- that is working. You know, and what that means.

MS. CARROLL: Thanks very much. This is Holly Carroll, U.S. Fish and Wildlife Service, Federal In-Season Manager. Would you like me to respond to the question?

CHAIRMAN CHRISTIANSON: Yes, please, thank you, Holly. I appreciate you taking the time.

MS. CARROLL: Thanks, Mr. Chair. So, yeah, I recognize those comments and I -- I understand and I'd like to try to explain, you know, from a manager's standpoint, which I recognize is not the same as for the users, but management success would be meeting all escapement goals when run sizes are large enough and making all harvestable surplus available to subsistence users and fishing opportunities that are equitable throughout the Yukon drainage. So, that's -- you know, that's the gold star of management success.

But for chinook salmon we've actually met the border escapement goal 12 of the 21 years we've had the Yukon River Salmon Agreement in place. So while that's just over 57 percent success, many of the years when goals weren't met it was a result of run
sizes too small to ever meet the goals even with zero
harvest. So those years include 2012, 2013, 2020, and
2021. So, you know, to just explain, no management
actions we could have taken would've allowed us to meet
goals with runs of that size. But the proponent also
brought up some great examples of when we failed to
meet goals for other reasons. So in the years of 2007,
2008 and '09, we didn't have as rigorous of in-season
run projects using genetics and we also had other
issues determining run strength. So truly overharvest
occurred essentially. We had subsistence fishing less
restrictive in those years and we were still commercial
fishing for chinook. So the harvest in those years --
but for comparison -- the harvest in those years were
double the harvest we see today but our overall run
sizes were also double. And so after these failures
directed commercial fishing for chinook salmon was
curtailed in 2010. We reduced the maximum mesh size
for commercial fishing to six inch, and for subsistence
fishing to 7.5 inch and the chinook salmon was named a
stock of concern in 2013.

So management is constantly being
refined.

But the problem we're having in recent
years, like in 2019 and 2020, is that, we thought there
were more fish in the river and we allowed subsistence
fishing. So in those two years, 2019 and 2020, we
actually saw the best subsistence chinook harvest in
recent years. We saw 52,000 fish harvested in 2019 and
23,000 fish harvested in 2020. The reason we failed to
meet the border goals is that our assessment was off by
tens of thousands of fish that did not appear at the
border so that is a problem we continue to grapple with
and it's called management, or assessment uncertainty.

I bring that up because we still have
that problem and we will going forward. But we do have
the best research management Staff from U.S. Fish and
Wildlife, Fish and Game and other organizations that
work as a part of the Joint Technical Committee and
they are constantly working to improve and address
these uncertainties.

So all this is to say that, you know,
changing from one management entity as the lead at this
time may not affect our success at meeting escapement
goals, or providing additional harvest in any given year, it really is related to our lack of precision that's the heart of the issue.

So I just -- I thought it was important to clarify that so there's no undue expectations for this coming season.

CHAIRMAN CHRISTIANSON: Thank you for that. Any questions from the Board.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Yes, Gene, you have the floor.

MR. PELTOLA: Thank you, Mr. Chair. I just wanted to make one clarification statement. With the closing, although, comment from our Federal in-season manager, I do agree -- I do agree that we shouldn't establish, you know, expectations the Program cannot provide, although the premise of these special actions is that the special actions have requested Federal management. The big difference being that if there is a harvest opportunity that the rural priority for the Federally-qualified subsistence user in Federal waters is achieved. And I think that's -- that's what the basis of the asks, at least as I read through it, that have been identified that they are.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Gene, for that. Any other questions or comments from the Board for Staff or ISC before we move to a motion.

(No comments)

CHAIRMAN CHRISTIANSON: The floor is open for a motion.

MS. KLEIN: Mr. Chair, this is Jill Klein.

CHAIRMAN CHRISTIANSON: Yes, Jill, thank you, you have the floor.

MS. KLEIN: Okay, thank you. So, Mr. Chair, I move to approve Temporary Fisheries Special
Action Request FSA22-01 with the OSM modification plus a geographic description modification as follows:

Federal public waters for the Yukon Northern Area on the Yukon River drainage are closed to the harvest of chinook, summer and fall chum and coho salmon except by Federal-qualified subsistence users effective on June 1, 2022 through September 30, 2022. Federal subsistence fishing schedules, openings, closures and fishing methods will be determined by the Federal in-season fisheries manager.

And if I get a second I will explain why I intend to vote in support of my motion.

MR. BROWER: Second by Public Brower.

MS. KLEIN: Thank you. So as we've heard the salmon runs on the Yukon River have recently been some of the worst on record and there have been closures and restrictions the past four years. The 2022 run and harvest outlook for Yukon River salmon is poor for all species of salmon to include chinook, fall and summer chum salmon and coho salmon and closures for salmon will be necessary until in-season assessments may indicate otherwise. The Federal in-season who has delegated authority from the Board may open and issue emergency special actions during the season to open, close or change gear types as needed for reasons of conservation or to continue subsistence uses by Federally-qualified subsistence users. Yukon River residents that customarily and traditionally rely on Yukon River salmon for subsistence uses have not been able to continue those uses because of the low salmon returns. And, again, the Federal Subsistence Board may consider actions such as those proposed in these fisheries special actions to conserve fish and wildlife on Federal lands and waters and to ensure a subsistence priority for Federally-qualified subsistence users.

We have listened to the public testimony and the tribal consultation and we do want to say thank you to all those that have shared their comments with us in this process.

We acknowledge the concerns we have heard expressed by rural Yukon River residents regarding the impacts of the Board closing Federal public waters. This has only been done two other times
in the past 20 years. We do not take this decision lightly. We do value the Yukon River voices we have heard that recognize the importance of everyone working together in a coordinated nature and how that is beneficial to the intensive management that is required for Yukon River salmon fisheries. There are many compounding factors affecting salmon declines and also affecting Yukon River residents. This is a difficult situation for people who rely on Yukon River salmon to meet their subsistence needs for some time now and it is also a tough decision for us to make but we are supporting this in deference to the Western Interior, Eastern Interior Federal Regional Advisory Councils and to support conservation of the salmon populations and continuation of subsistence uses of those populations.

We also recognize the efforts of the Yukon Kuskokwim Delta Regional Advisory Council to further modify the Office of Subsistence Management's modification to accommodate the fishing families of Hooper Bay, Scammon Bay and Chevak. We also appreciate the efforts of the Federal in-season manager and OSM to work with them, and we look forward to receiving a proposal which if passed by the Board, will allow them to fish in the Federal public waters of the Yukon River drainage for chinook and summer chum salmon.

And, finally, because there is a need to conserve all salmon stocks that may be headed for the Yukon River drainage, restrictions applied to the Yukon drainage are usually applied to the Yukon Northern area which includes all waters of Alaska between the latitude of Point Romanof and the latitude of the western most point of Naskonat Peninsula, including those waters draining into the Bering Sea. We have included this geographic area in our modification for clarification when the Federal in-season manager may issue emergency special actions during the season.

That is all for now, thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Jill. That opens up the floor for Board discussion, comments, deliberation.

(No comments)
CHAIRMAN CHRISTIANSON: Call for the question.

MR. BROWER: Question.

CHAIRMAN CHRISTIANSON: Thank you. Roll call, please, Sue.

MS. DETWILER: Okay. Starting with the maker of the motion, Jill Klein, Fish and Wildlife Service.

MS. KLEIN: Support.

MS. DETWILER: Thank you.

Sara Creachbaum, National Park Service.

MS. CREACHBAUM: The National Park supports the motion as modified in deference to the RACs and based on justification provided by the United States Fish and Wildlife Service. Thank you.

MS. DETWILER: Thank you.

Bureau of Land Management, Chris McKee.

MR. MCKEE: BLM supports for the reasons articulated by the Fish and Wildlife Service and in deference to the Western and Eastern Interior Regional Advisory Councils.

MS. DETWILER: Thank you.

Dave Schmid, U.S. Forest Service.

MR. SCHMID: Yeah, thank you. The Forest Service also supports the motion as modified with the justification provided by Fish and Wildlife Service and especially in deference to the Regional Advisory Councils. Thank you.

MS. DETWILER: Thank you.

Bureau of Indian Affairs, Gene Peltola.

MR. PELTOLA: BIA supports in deference to the Western Interior and Eastern Interior Regional Advisory Councils.
Public Member Rhonda Pitka.

MS. PITKA: I support as modified based on the justification put forward by the Eastern Interior Regional Advisory Council....

MS. DETWILER: Thank you.

MS. PITKA: .....and the other Regional Advisory Councils. Thank you very much.

MS. DETWILER: Okay, got that, thank you, Rhonda.

Public Member Charlie Brower.

MR. BROWER: I support.

MS. DETWILER: Thank you.

Finally, Chair Christianson.

CHAIRMAN CHRISTIANSON: I support as specified. Thank you, very much.

MS. DETWILER: Thank you. Motion passes unanimously.

CHAIRMAN CHRISTIANSON: With that, I think that concludes the business today. I just want to thank everyone, all the Staff, and all the people that called in today to publicly testify for this to give us a real insight to both, you know, along the river and how this impacts our lives both as users and as managers and just hope we could continue to hope for a good return and that we can find a solution to this problem going forward. It's going to take a lot of commitment and all the user groups coming together to come up with a balance in these conservative stocks that we have. And so thank you guys for all your work today and, with that, I'll go ahead and open up the floor for a motion to adjourn.

MS. KLEIN: Mr. Chair, this is Jill. Before we adjourn I just wanted to clarify if I need to make.....
CHAIRMAN CHRISTIANSON: Yes.

MS. KLEIN: .....a motion or take action on the remaining special actions, to take no action.

CHAIRMAN CHRISTIANSON: I will go ahead and leave that answer to, Sue, I believe we -- that was the main proposal in the way that we addressed it, I think we did it all in one lump there, Jill.

MS. DETWILER: Yes, actually I do believe Jill is right, that's a good catch. I had only taken down that the main motion was to adopt -- was to approve FSA22-01 with OSM modification so that leaves the remaining special actions in this bundle unaddressed.

MR. PELTOLA: And, Mr. Chair, BIA. Might we want to consider take no action on the .804 as requested by the proponent based on the recommendation from OSM in the analysis of 01.

CHAIRMAN CHRISTIANSON: Thank you for that clarification Gene. And so is there any opposition to no action or do we need to get a motion on the table here so we could have it clarified for the record -- so let's just make a motion of no action on those three proposals for the record. If we could get a motion on the floor and seconded to clear it up.

MS. KLEIN: Okay, Mr. Chair, this is Jill. So the motion would be to take no action on Fisheries Special Action 22-02, 03 and 04 and to take no action on the request for the .804 analysis due to the recommendation in the analysis from the Office of Subsistence Management.

CHAIRMAN CHRISTIANSON: Thank you so much for that Jill. Any second.

MR. PELTOLA: Second, BIA.

CHAIRMAN CHRISTIANSON: Thank you, Gene. Any further discussion on the motion.

(No comments)

CHAIRMAN CHRISTIANSON: Any opposition
to the motion for no action presented.

(No opposition)

CHAIRMAN CHRISTIANSON: Hearing no opposition, the motion carries unanimously. Appreciate that. Thank you for the process there and clarification. And, again, thank you all for your work today and if there are no further comments or questions we'll go ahead and open the floor for adjournment.

MR. BROWER: I so move, Mr. Chair.

MR. SCHMID: I'll second, Forest Service.

CHAIRMAN CHRISTIANSON: Motion's been made and seconded. Hearing no opposition everybody have a good day. God Bless you all and be safe in your travels.

(No opposition)

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA   )
                            ) ss.
STATE OF ALASKA           )

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered ___ through ___ contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD taken electronically on the 4th day of May;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 5th day of May 2022.

_________________________________
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/22